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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,087	02/17/2004	Matthew W. Starks	65856-0054	9884

10291 7590 02/28/2007  
RADER, FISHMAN & GRAUER PLLC  
39533 WOODWARD AVENUE  
SUITE 140  
BLOOMFIELD HILLS, MI 48304-0610

EXAMINER
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BEAMER, TEMICA M

ART UNIT	PAPER NUMBER
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2617

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/28/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/780,087

Applicant(s)

STARKS ET AL.

Examiner

Temica M. Beamer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-11, 26-31, 35 and 37 is/are allowed.
- 6) ☒ Claim(s) 12-25, 32-34 and 36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-37 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 12, 13, 19-25 and 32-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Scholl et al (Scholl), U.S. Patent No. 5,400,018.

Regarding claim 12, Scholl discloses a system comprising: at least one sensor that provides at least one output related to a component; and at least one measurement device comprising a processor programmed to receive as an input the output from the sensor and wirelessly communicate with a remote device that is external to an equipment (col. 3, lines 7-9, col. 3, lines 18-47 and col. 3, line 58-col. 4, line 11).

Regarding claim 13, Scholl discloses the system of claim 12, wherein the processor is further programmed to convert the input to a measurement (col. 3, line 61-col. 4, line 4).

Regarding claim 19, Scholl discloses the system of claim 12, further comprising a wireless network (col. 3, lines 30-47; figure 2).

Regarding claim 20, Scholl discloses the system of claim 19, wherein the remote device sends signals to the measurement device via the wireless network (col. 3, lines 30-47; figure 2).

Regarding claim 21, Scholl discloses the system of claim 19, wherein the measurement device sends signals to the remote device via the wireless network (col. 3, lines 30-47; figure 2).

Regarding claim 22, Scholl discloses the system of claim 12, wherein the measurement device is selected from the group consisting of inherently a gauge and a transducer as evidenced by the fact that various components are being measuring (col. 3, line 58-col. 4, line 11).

Regarding claim 23, Scholl discloses the system of claim 12, wherein the measurement device comprises a second wireless communications device that is capable of being attached to at least one second measurement output device (figure 2).

Regarding claim 24, Scholl discloses the system of claim 12, wherein the processor is further programmed to receive configuration information from the remote device (col. 3, lines 44-47).

Regarding claim 25, Scholl discloses the system of claim 12, wherein the remote device is selected from the group consisting of inherently a custom-designed computing device, a desktop personal computer, a laptop personal computer, a handheld computer, or a Java-enabled portable computing device (col. 2, lines 3-6; figures 1-3).

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Regarding claim 32, Scholl discloses the system of claim 12, wherein the component is a component in a vehicle (col. 5, lines 1-20).

Regarding claim 33, Scholl discloses the system of claim 12, wherein the at least one sensor is a plurality of sensors (col. 5, lines 1-20).

Regarding claim 34, Scholl discloses the system of claim 12, wherein the at least one measurement device is a plurality of measurement devices (col. 5, lines 1-20).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 14-18 rejected under 35 U.S.C. 103(a) as being unpatentable over Scholl in view of admitted prior art.

Regarding claims 14-18, Scholl discloses the system of claim 12 as described above. Scholl, however, fails to specifically disclose at least one analog signal within the ranges claimed, at least one digital signal and the use of a scaling function.

However, on page 6 of the specification (paragraphs 0024 and 0025), the applicant admits that such features are well-known in the art. Therefore, at the time of invention, it would have been obvious to a person ordinary skill in the art to modify

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Scholl with the teachings of admitted prior art since such teachings are well-known and used based on desired system performance.

6. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Scholl in view of Ma.

Regarding claim 36, Scholl discloses the system of claim 12 as described above. Scholl, however, fails to disclose wherein the at least one measurement device is selectively detachably connected to a component in the equipment.

In a similar field of endeavor, Ma discloses a universal quality measurement system for multimedia and other signals. Ma further discloses a selectively detachable measurement device (col. 2, lines 13-23).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to modify Scholl with the teachings of Ma for providing a convenient and mobile way to measure various signals (see Ma, abstract).

#### ***Allowable Subject Matter***

7. Claims 1-11, 26-31, 35 and 37 are allowed.

#### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Donner et al, U.S. Patent Pub. No. 2005/0079880, discloses wireless sensor alerts.

Kim et al, U.S. Patent Pub. No. 2006/0079208, discloses a mobile telephone network-based system for detection and location of hazardous agents.

Dambach, U.S. Patent No. 5,783,990, discloses a method of detecting and documenting exhaust-gas relevant malfunctions of a vehicle.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Temica M. Beamer whose telephone number is (571) 272-7797. The examiner can normally be reached on Monday-Thursday (alternate Fridays) 7:30am-4:00pm.

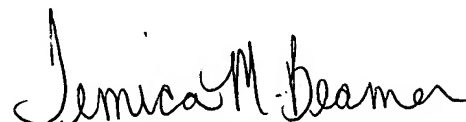
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Temica M. Beamer  
Primary Examiner  
Art Unit 2617

tmb

  
TEMICA BEAMER  
PRIMARY EXAMINER